



Legislation Text

File #: 24-0084, **Version:** 1

ZV(R)2023-0139 - 0141

Arturo Arce, 520 SW 69 Terrace (District 1)

SUMMARY EXPLANATION AND BACKGROUND: PROJECT DESCRIPTION / BACKGROUND:

Arturo Arce, owner, submitted three Residential Zoning Variance requests to legalize an existing driveway, patio and storage shed for the property located at 520 SW 69 Terrace in the Pines Village neighborhood zoned Single-Family Residential Zoning District (R-1C).

On February 8, 2023, the City's Code Compliance Division cited the owner (Code Case No. 230200678) for work performed without building permits.

On May 8, 2024, the applicant submitted building permit application No. RX23-06032 to construct a driveway and patio at the property; however, the work done exceeds the limitations of the City's Land Development Code (LDC) and the application cannot be approved.

The applicant originally requested:

- **ZV(R)2023-0139** to allow 44% (total) front lot coverage instead of the required 35% (total) front lot coverage for an existing driveway in a single-family, typical lot.

After reviewing the applicant's initial request and, per the property's survey, it was detected an existing patio extending up the southern property line and two (2) roofed structures encroaching into rear and side setbacks. All built without building permits (See survey attached).

Per staff review of the city's archives no permitting information can be found for the accessory structures at the property; however, according to the Broward County Property Appraiser Imagery, it appears the roofed structures and driveway have existed in the property since 2013, 2015 and 2020

respectively. The applicant provided a survey used for fence permit (No. 22505553) issued by the city in 2005, attached.

As part of the original request, the applicant is amending the petition to include an alternative plan to modify the existing conditions of the unpermitted accessory structures at the property. Per plan:

- Reduction of the width of the existing driveway from approximately 25'-6" wide to 19'-6" wide.
- Removal of existing gazebo located on the southwest corner of the lot. (Demolition Permit Application No. RX23-15827)
- Relocation of an existing 14.11' x 10.00' storage shed from the north side of the property to a side and against the house's north wall (no openings will be obstructed)

As part of the modifications listed above, the applicant would like to retain some of the work done by making the following additional requests:

- **ZV(R)2023-0140** to allow zero-foot (0') side setback instead of the required five-foot side setback along a segment of the southern property line for an existing 19.75' x 26.25' patio.
- **ZV(R)2023-0141** to allow one hundred forty square feet (142 SF) instead of the allowed one hundred square feet (100 SF) for an existing storage shed.

The applicant is aware that Board consideration of residential variance requests does not preclude the property owner from obtaining all necessary development related approvals or permits.

Per the City's registered HOA list, there is no HOA in the neighborhood where the property is located.

VARIANCE REQUEST DETAILS:

ZV(R)2023-0139 is to allow 44% (total) front lot coverage instead of the required 35% (total) front lot coverage for an existing driveway in a single-family, typical lot.

ZV(R)2023-0140 is to allow zero-foot (0') side setback instead of the required five-foot side setback along a segment of the southern property line for an existing 19.75' x 26.25' deck.

ZV(R)2023-0141 to allow one hundred forty square feet (142 SF) instead of the allowed one hundred square feet (100 SF) for an existing storage shed.

Code References:

ZV(R)2023-0139 - 0141

Table 155.620 Accessory Building and Structures

Type, Driveway, Typical Lot, Maximum Dimensions, 35% front lot coverage

Type, Deck or Patio, Setback, Rear, 5 feet

Type, Shed, Setback, Maximum Dimensions, [1] 100 square feet